

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DAVID FREEMAN,)
Petitioner,)
v.) Civil Action No. 2:06CV122-MHT-WC
RICHARD F. ALLEN, Commissioner)
Alabama Department of Corrections,)
Respondent.)

ORDER ON MOTION

Upon consideration of the Respondent's unopposed motion for extension of time to file its response brief on the procedural default issues and the merits (Doc. # 68) and upon consideration of the exceptional circumstances demonstrated by the Respondent resulting from counsel's extended sick leave, the court concludes that the motion for extension is due to be GRANTED. Accordingly, it is

ORDERED that Motion for Extension of Time (Doc. # 68) filed May 11, 2007 be and hereby is GRANTED and that as more fully set out in this court's October 19, 2006 Order, the Respondent's responsive brief to the procedural default issues and the merits shall be filed on or before June 28, 2007, and that the Petitioner's reply brief addressing the merits shall be filed on or before July 12, 2007.

DONE this 14th day of May, 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE